

## WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: FINANCE

DATE: MARCH 11, 2015

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**COMMITTEE MEMBERS PRESENT:**

SUPERVISORS CONOVER  
TAYLOR  
SOKOL  
MONROE  
WOOD  
KENNY  
MERLINO  
FRASIER  
DICKINSON

**OTHERS PRESENT:**

MIKE SWAN, COUNTY TREASURER  
KEVIN GERAGHTY, CHAIRMAN OF THE BOARD  
MARTIN AUFFREDOU, COUNTY ATTORNEY  
JOAN SADY, CLERK OF THE BOARD  
PAUL DUSEK, COUNTY ADMINISTRATOR  
FRANK THOMAS, BUDGET OFFICER  
SUPERVISORS BROCK  
GIRARD  
SEEBER  
SIMPSON  
JEFFERY TENNYSON, SUPERINTENDENT OF PUBLIC WORKS  
JIM CAMPINELL, CITY OF GLENS FALLS FIRST WARD COUNCILMAN  
JIM CLARK JR., CITY OF GLENS FALLS FIFTH WARD COUNCILMAN  
JIM FITZGERALD, TOWN OF QUEENSBURY ANIMAL CONTROL OFFICER  
J. LAWRENCE PALTROWITZ, SPECIAL COUNSEL FOR WARREN COUNTY  
DAVID STRAINER, TOWN OF QUEENSBURY RESIDENT  
DON LEHMAN, *THE POST STAR*  
AMANDA ALLEN, DEPUTY CLERK OF THE BOARD

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Mr. Conover called the meeting of the Finance Committee to order at 9:11 a.m.

Motion was made by Ms. Wood, seconded by Mr. Kenny and carried unanimously to approve the minutes of the prior Committee meeting, subject to the Clerk of the Board.

Copies of the meeting agenda were distributed to the Committee members and a copy of same is on file with the meeting minutes.

Commencing the Agenda review with Section III, Item 1, Mr. Conover addressed a request to authorize transfers of funds, as included in the Agenda packet for Committee approval.

Motion was made by Mr. Kenny, seconded by Ms. Wood and carried unanimously to approve the request and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

Moving on to Agenda Item 2, privilege of the floor was extended to Mike Swan, *County Treasurer*, to discuss a request for a loan to Westmount Health Facility for cash flow to pay a bill from the New York State Retirement System. Mr. Swan advised that currently, Westmount had about \$500,000 available for cash flow purposes, but had just received an invoice in the amount of \$600,000 from the New York State Retirement System; he added that Westmount would require an additional \$500,000 to fund their cash flow needs through May/June of 2015. Mr. Swan stated he was requesting authorization to loan Westmount up to \$1.4 million, *at an interest rate of .25%*, to assist with cash flow problems until IGT (*Inter-Governmental Transfer*) funding was received.

Mr. Dickinson questioned when Westmount would be able to repay the funds and Mr. Swan replied that he was unsure, noting that they would not be able to return the monies until the IGT funding was received; Mr. Swan added that he had received no indication of when the funds would be forwarded to Westmount.

Motion was made by Mr. Dickinson and seconded by Mrs. Frasier to approve the request to loan funds to Westmount (*up to \$1.4 million to be repaid at an interest rate of .25%*).

Mr. Dusek requested clarification that the funds would sustain Westmount's cash flow needs through May/June of 2015 and Mr. Swan advised this was correct. Mr. Dusek noted that the 2015 Budget included funding for Westmount operations through the end of May, based on the assumed sale of the Facility; he added that if Westmount was not sold, the County would be faced with losses they would need to cover later in 2015, and he wanted to be sure the Committee was aware of this. Mr. Swan indicated that Westmount may not need to use all of the funds loaned to them and he noted he had estimated the amount of the loan on the high side so that he would not have to return and request additional funds later.

Mr. Dickinson questioned the extent of the losses anticipated if Westmount did not sell as expected and Mr. Dusek replied they had calculated an estimated cost of \$165,000 to the County for every month beyond May; however, he stated, the exact cost would depend upon the cash flow needs of the Facility which would vary. Mr. Dusek indicated a total cost to the County of more than \$1 million had been estimated if the Facility remained in the County's ownership for the remainder of 2015 and Mr. Swan confirmed this was correct.

There being no further discussion, Mr. Conover called the question and the aforementioned motion was carried by unanimous vote, thereby authorizing the necessary resolution for the March 20<sup>th</sup> Board Meeting.

Resuming the Agenda review with Item 3, Mr. Conover outlined the referrals from the County Facilities Committee, *Airport*, as follows:

- 3A) Request to authorize an appropriation from the Airport Reserve Account, *A.892.00*, to Budget Code A.9950 910, *Transfers-Capital Projects*, in the amount of \$38,000. These funds will be used to increase Capital Project No. H306.9550 280, *Land/Avigation Easement Forest Enterprises*, as outlined in Agenda Item 3B.

Motion was made by Mr. Dickinson and seconded by Mr. Monroe to approve the request.

Mr. Dickinson questioned what this item pertained to and Jeffery Tennyson, *Superintendent of Public Works*, explained it was with regard to an Airport maintenance building which also housed the main electrical services that powered the entire Airport.

There being no further discussion, Mr. Conover called the question and the aforementioned motion was carried by unanimous vote, thereby authorizing the necessary resolution for the March 20<sup>th</sup> Board Meeting.

- 3B) Request to increase Capital Project No. H306.9550 280, *Land/Avigation Easement Forest Enterprises*, in the amount of \$38,000 with the source of funding to be a transfer from Budget Code A.9950 910, *Transfers-Capital Projects*.

Motion was made by Mr. Merlino, seconded by Mr. Dickinson and carried unanimously to approve the request and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

Mr. Tennyson advised he had mis-spoken when providing his explanation for Item 3A, thinking that the item pertained to an alternate capital project. He clarified that both Items 3A and 3B related to the land avigation easement for the Forest Enterprises parcel and he noted they had previously authorized some additional appraisal and consultant work in 2013 which had been completed, but the funding was never advanced to the Capital Project. Mr. Tennyson advised they were ready to close on the easement in the near future, but required that the funds be appropriately placed in the Capital Project before they could do so.

Mr. Conover announced Agenda Item 4 included a referral from the Criminal Justice Committee, *Public*

*Defender*, requesting to amend the 2015 County Budget to reflect the receipt of unanticipated revenues and appropriations in the amount of \$44,205 in relation to funding provided by the Office of Indigent Legal Services.

Motion was made by Mr. Dickinson, seconded by Ms. Wood and carried unanimously to approve the request and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

Agenda Item 5, Mr. Conover stated, included a referral from the Economic Growth & Development Committee, *Planning & Community Development*, requesting to amend the 2015 County Budget in the amount of \$28,203 to appropriate funds and increase GIS staffing hours to fulfill grant awards.

Motion was made by Mr. Dickinson, seconded by Mr. Taylor and carried unanimously to approve the request and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

Mr. Conover outlined Item 6, referrals from the Health Services Committee, *Office of Community Services*, as follows:

- 6A) Request to amend the 2015 County Budget to reflect the receipt of unanticipated revenues and appropriations in the amount of \$14,400 in relation to funding received from the New York State Office of Mental Health. These are pass-through funds for the Warren-Washington Association for Mental Health which are meant to cover the 2% Direct Care Cost of Living Adjustment for non-profit agencies.
- 6B) Request to amend the 2015 County Budget to reflect the receipt of unanticipated revenues and appropriations in the amount of \$19,799 in relation to funding received from the New York State Office of Mental Health. These are pass-through funds for the Glens Falls Hospital Behavioral Health Service unit which are meant to cover the 2% Direct Care Cost of Living Adjustment for non-profit agencies.
- 6C) Request to amend the 2015 County Budget to reflect the receipt of unanticipated revenues and appropriations in the amount of \$6,093 in relation to funding received from the New York State Office of Mental Health. These are pass-through funds for the Liberty House Foundation, Inc. which are meant to cover the 2% Direct Care Cost of Living Adjustment for non-profit agencies.
- 6D) Request to amend the 2015 County Budget to reflect the receipt of unanticipated revenues and appropriations in the amount of \$1,193 in relation to funding received from the New York State Office of Mental Health. These are pass-through funds for the Council for Prevention, Inc. which are meant to cover the 2% Direct Care Cost of Living Adjustment for non-profit agencies.
- 6E) Request to amend the 2015 County Budget to reflect the receipt of unanticipated revenues and appropriations in the amount of \$4,208 in relation to funding received from the New York State Office of Mental Health. These are pass-through funds for 820 River St. which are meant to cover the 2% Direct Care Cost of Living Adjustment for non-profit agencies.
- 6F) Request to amend the 2015 County Budget to reflect the receipt of unanticipated revenues and appropriations in the amount of \$6,516 in relation to Workshop Transformation funds received from the New York State Office of Mental Health. These are pass-through funds for the Community, Work and Independence, Inc. organization.

Motion was made by Mr. Kenny, seconded by Mr. Dickinson and carried unanimously to approve Items 6A-F, as outlined above, and the necessary resolutions were authorized for the March 20<sup>th</sup> Board Meeting.

Moving on to Agenda Item 7, Mr. Conover addressed a referral from the Public Safety Committee, *Office of Emergency Services*, requesting to establish Capital Project No. H358.9550 280, *Hazard Mitigation Grant Program*, in the amount of \$150,000 to update the Warren County Multi-Jurisdictional Hazard Mitigation Plan.

Motion was made by Mr. Sokol and seconded by Ms. Wood to approve the request.

Mr. Dickinson questioned who would be preparing the Multi-Jurisdictional Hazard Mitigation Plan and Joan Sady, *Clerk of the Board*, advised the Office of Emergency Services was working with the Soil & Water Conservation District to update the Plan.

There being no further discussion, Mr. Conover called the question and the aforementioned motion was carried by unanimous vote, thereby authorizing the necessary resolution for the March 20<sup>th</sup> Board Meeting.

Mr. Conover advised Agenda Item 8 included referrals from the Public Works Committee, as follows:

- 8A) *DPW Division* - Request to amend the County Budget in the amount of \$7,740 to appropriate funding in the correct budget codes for the time one Buildings & Grounds employee spends working on the fuel farm sites.

Motion was made by Mr. Merlino, seconded by Mr. Kenny and carried unanimously to approve the request and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

- 8B) *Parks, Recreation & Railroad Division* - Request to amend the 2015 County Budget to reflect the receipt of unanticipated revenues and expenditures in the amount of \$5,935 for grant funding received from The Glens Falls Foundation for the creation of a handicapped accessible community sensory garden at Up Yonda Farm.

Motion was made by Ms. Wood, seconded by Mr. Sokol and carried unanimously to approve the request and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

Proceeding to Agenda Item 9, referral from the Real Property Tax Services Committee, Mr. Conover outlined a request to approve the Phase 2 Preliminary Assessments with Clark Patterson Lee for three parcels (*Town of Hague Tax Map Parcel No. 25.31-1-8, Town of Johnsbury Tax Map Parcel No. 133.85-1-27 and Town of Queensbury Tax Map Parcel No. 302.8-1-2*), as well as to request an appropriation in the amount of \$30,900 from the Environmental Testing Reserve Fund, A.893.00, to Budget Code A.1355 470, *Real Property Tax Service Agency, Contract*, to fund the assessment work.

Motion was made by Mr. Monroe and seconded by Mr. Dickinson to approve the request.

Mr. Swan explained there were three parcels that the County did not own but had taken temporary incidents of ownership for which allowed them to go onto the property and perform inspections because they suspected there might be contamination present. He continued that Clark Patterson Lee (CPL), *the engineering firm used to perform the inspections*, had completed the Phase 1 review work and determined that a Phase 2 review was required. Mr. Swan explained the Phase 2 work had been broken into two sections, *Phase 2A and Phase 2B*, and the request the Committee was entertaining pertained to the Phase 2A work which would include more on-site review. He further explained that the funding for this work would come from the Environmental Testing Fund which was funded through proceeds from the Tax Foreclosure Auction and he noted there was currently about \$100,000 remaining in the Fund.

Mr. Monroe indicated that he supported this request and he noted that it had been previously considered and approved by the Real Property Tax Services Committee. He recalled that in the past the County had always refrained from selling properties on which contamination was suspected, in effect remaining vacant and off the County tax rolls. Mr. Monroe stated that the Environmental Testing Fund had been created at Mr. Swan's suggestion in an effort to ultimately return these properties to a taxable status. Mr. Swan interjected the Phase 2 work was the next step in determining whether contamination was present and how bad it might be; he agreed with Mr. Monroe's statement that the overall goal was to clean up the contamination and bring the properties to a state where they were saleable and taxable.

There being no further discussion, Mr. Conover called the question and the aforementioned motion was carried by unanimous vote, thereby authorizing the necessary resolution for the March 20<sup>th</sup> Board Meeting.

Mr. Conover announced that Agenda Item 10 included a referral from the Support Services Committee, *Information Technology*, requesting to determine a source of funding for the purchase of a DVR machine and four cameras to be installed in the Board Room to enable video recording of Board Meetings at an approximate cost of \$500.

Mr. Taylor noted a Health Services Committee Meeting scheduled for Monday, March 16<sup>th</sup>, would be held in the Board Room to discuss the Westmount Health Facility sale and allow questions for the prospective buyer; he questioned whether the recording equipment could be installed in the Board Room prior to this meeting in order to provide access to those unable to attend. Mr. Dusek responded that he would contact Mike Colvin, *Information Technology Director*, to determine whether this was possible.

Motion was made by Ms. Wood, seconded by Mr. Taylor and carried unanimously to approve the request, specifying a transfer from the Contingent Fund as the source of funding, and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

Agenda Item 11, Mr. Conover stated, included a referral from the Tourism Committee, to appropriate funds in the amount of \$6,510 from the Occupancy Tax Reserve, A.881.00, to Budget Code A.6417 470, *Tourism Occupancy, Contract*, to fund the County's 62% share of the costs of a conceptual planning study to be performed by Elan Planning, Design and Landscape Architecture, PLLC relative to the construction of a performance stage on the Festival Space at the Wood Park. Mr. Conover pointed out an inaccuracy in the Agenda, noting that this item was referred by the Occupancy Tax Coordination Committee, rather than the Tourism Committee.

Motion was made by Mr. Merlino and seconded by Mr. Kenny to approve the request.

Mr. Monroe noted there were two needs for the Festival Space, the first being fencing and the second being a stage. He further noted that they were already working on funding the installation of the fencing and he was glad to see that the study for the construction of a stage was being progressed too.

There being no further discussion, Mr. Conover called the question and the aforementioned motion was carried by unanimous vote, thereby authorizing the necessary resolution for the March 20<sup>th</sup> Board Meeting.

Mr. Conover directed the Committee members' attention to the Addendum Agenda, which included one action item in the form of a referral from the Public Works Committee, *DPW*, requesting to establish Capital Project No. H357.9550 280, *Charles R. Wood Park Festival Space Perimeter Fence*, in the amount of \$250,000, with the source of funding to be a serial bond, as approved by Resolution No. 82 of 2015.

Motion was made by Mr. Dickinson, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

Privilege of the floor was extended to Ms. Wood who addressed the Committee regarding grant funding awarded to the Towns of Bolton and Thurman, *the grant awarded had included reimbursing grant funds which required the Towns of Bolton and Thurman to expend funds for projects and then await reimbursing funds*. She advised that during the last Economic Growth & Development Committee meeting Wayne LaMothe, *County Planner*, had noted a desire to provide reimbursement for some portion of the grant amount as the Towns were both awaiting the conclusion of an MWBE (*Minority and Women Owned Business Enterprise*) review by the State, which was a long and involved process, to

receive reimbursing grant funds. Ms. Wood indicated since that meeting both she and Mr. Conover had met with Mr. Swan to discuss the matter before deciding to request that 50% of the total reimbursement amount be advanced to the Towns of Bolton and Thurman. She explained that they had decided against requesting an advance of the full amount because they were unsure what the results of the MWBE review would be and how they might effect the grant totals.

Martin Auffredou, *County Attorney*, noted that similar action had been taken in the past to advance County funds for the purchase of the boat washing stations while awaiting reimbursing grant funds; he opined that because this had been done in the past he could not foresee any issues with taking similar action in this case.

Mr. Swan requested that a dollar amount be identified for the distributions to the Towns of Thurman and Bolton in relation to this matter. Ms. Wood indicated that \$125,000 would cover a little less than half of the amount expended by the Town of Thurman and \$30,000 would cover half of what was expended by the Town of Bolton.

Motion was made by Mr. Dickinson, seconded by Mr. Merlino and carried unanimously to authorize funds to be advanced to the Towns of Thurman (\$125,000) and Bolton (\$30,000) in anticipation of reimbursing funds and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

Mr. Conover advised Agenda Item 12 consisted of several requests/items to be discussed by the County Administrator. Mr. Dusek outlined the items, as follows:

12A) Journal Report identifying transfers authorized by the County Administrator.

Mr. Dusek apprised the Journal Report listed the transfers approved by his Office, as required by the Committee. He indicated that most of the transfers listed were small and the only noteworthy amount was the \$6,500 transfer for the Office of Emergency Services which was made to address a budgeting error wherein funds were placed in the incorrect code.

12B) Request to appropriate funds in the amount of \$5,730 from the Computer Reserve Fund, A.895.00, to Budget Code A.1680 220.1, *Information Technology, Office Equipment Reserve*, for the purchase of computers and related equipment and software.

12C) Request to appropriate funds in the amount of \$21,000 from the Vehicle Reserve Fund, A.896.00, to Budget Code A.8021 230.1, *Planning (and Comm. Dev.), Automotive Equipment Reserve*, for the purchase of a vehicle.

Motion was made by Ms. Wood, seconded by Mr. Merlino and carried unanimously to approve Items 12B and 12C, as outlined above, and the necessary resolutions were authorized for the March 20<sup>th</sup> Board Meeting.

12D) Request to amend the existing agreement with National Business Equipment & Supply LLC, as authorized by prior Resolution No. 234 of 2012 and amended by Resolution No. 712 of 2013, to replace a County-owned all-in-one printer with a unit from National Business Equipment & Supply LLC and add this unit to the current lease agreement. The lease cost for the new printer unit is \$35.20 per month, increasing the total contract cost to an amount not to exceed \$9,928.30.

Mr. Dusek explained that in 2012 the County had implemented a program to standardize all printers and copiers through a lease agreement with National Business Equipment & Supply and at that time they had decided to retain one existing all-in-one unit used in the DPW division. He continued that unit had recently stopped working and they were now seeking to add an additional all-in-one printer to the lease agreement with National. With regards to funding for the additional unit, Mr. Dusek suggested that they continue to make lease payments from the current budget codes and address any shortage

at the end of 2015.

In response to a question posed by Mr. Dickinson, Mr. Dusek advised the \$9,928.30 cost reflected on the resolution request form pertained to the cost of the entire lease agreement, inclusive of the new unit. He further advised the cost of the new printer was \$943 and the lease rate was \$35.20 per month.

Motion was made by Mr. Dickinson, seconded by Mrs. Frasier and carried unanimously to approve the request and the necessary resolution was authorized for the March 20<sup>th</sup> Board Meeting.

- 12E) Discussion on funding for legal and environmental work in preparation for the sale of the County-owned Route 9 property (*located adjacent to Great Escape*).

Mr. Dusek recalled that a few years ago the County had tried to sell the Route 9 parcel, but had decided to cease these efforts because they had not received an offer in the neighborhood of their desired selling price. He said he was now asking that the Committee consider attempting to sell the property once again, but before doing so, he suggested that they do certain things to try and enhance the property for sale. Mr. Dusek explained the reason he was recommending the sale of the property now was because the County would likely need additional cash flow funds available in 2016 and 2017 to support costs related to the court expansion project and legacy costs for the sale of Westmount Health Facility. He further explained that although there were some budget items that were expected to decrease in coming years, he was very concerned that the County may experience cash flow deficits and the sale of this property would assist in paying some of the County's obligations. Mr. Dusek acknowledged that although the property sale would represent a one-time influx of funds, when coupled with other decreasing expenses and obligations they would be very helpful in bridging the gap in order for the County budget to remain stable.

Before putting the property up for sale, Mr. Dusek said he would suggest that they undertake work to perform a property survey, an environmental audit, a title abstract review and some preliminary work with the Town of Queensbury to determine what can be done on the site; he added that once complete, the property could be offered for sale with the information garnered from the work he suggested in order to improve the potential sale. Mr. Dusek recommended that they put the property out for public bid and, in doing so, attempt to bring the property to the attention of development companies that would construct something that would benefit the County in more ways than just through the purchase of the property. With regards to the cost of the work he suggested, Mr. Dusek recited the estimates he had received for the work, which totaled about \$8,300, as follows: \$2,800 for a survey, \$2,000 for a phase 1 environmental audit and \$3,500 for title abstract fees. Mr. Dusek acknowledged that the \$3,500 estimate for title abstract fees might be somewhat high, but he said this would also cover work they might need to do in connection with the Town of Queensbury, as well as any sub-division process that may be deemed necessary. He recommended that \$9,000 be appropriated from the General Fund-Unappropriated Surplus balance to various budget codes to allow this work to be undertaken. Mr. Dusek said he was aware this was an investment the County would need to make, but he opined it would put the County in a better place to market the property. He indicated that once they were ready to market the property he would return to the Committee to provide an update before doing so and he noted that he planned to work with Ed Bartholomew, *Director of the Warren County Economic Development Corporation*, to advertise the property to the types of developers constructing facilities that would create jobs and additional sales tax revenues.

Motion was made by Mr. Dickinson and seconded by Mr. Taylor to authorize the appropriation as suggested by Mr. Dusek.

Mr. Dickinson questioned the location of the property and Mr. Dusek clarified it was across the street from the Municipal Center Building between Gurney Lane and the Great Escape Lodge.

Mr. Taylor said he agreed with Mr. Dusek's recommendations, but questioned whether an appraisal should be done before the property was offered for sale, as well. Mr. Dusek replied that he had not considered an appraisal and advised that although it was not necessary, they could choose to have one done; he added that he believed the County had commissioned an appraisal the last time the property was put up for sale. Mr. Auffredou interjected that an appraisal was a good idea, but noted that they may be putting the appraiser in a better situation to offer a value if all of the other work suggested by Mr. Dusek was done first. Mr. Swan confirmed that an appraisal of the property was performed in the past and he said he recalled the value had been in the range of \$800,000 to \$1 million. Mr. Taylor noted he believed appraisals were only good for six months.

Following a brief discussion, Mr. Conover called the question and the aforementioned motion was carried by a unanimous vote, thereby authorizing the necessary resolution for the March 20<sup>th</sup> Board Meeting.

Privilege of the floor was extended to Martin Auffredou, *County Attorney*, to address Item 13 with reference to the continued retention of J. Lawrence Paltrowitz as special counsel relating to the sale of the Westmount Health Facility. Mr. Auffredou referenced prior Resolution No. 738 of 2013 which authorized an agreement with J. Lawrence Paltrowitz and his firm Bartlett, Pontiff, Stewart and Rhodes, PLLC to provide special counsel services to assist with the Westmount transaction, including negotiation and development of contracts and the closing of the Facility itself, for a fifteen-month period which expired in March of 2015; he acknowledged that this agreement excluded certain matters, such as litigation. Mr. Auffredou continued that by separate resolution, *Resolution No. 249 of 2014*, the County authorized Mr. Paltrowitz and his firm to examine the claims or causes of action the County might have against Siemens with regards to the co-generation facility; he added that this was a separate issue that did not require Committee review or action. He explained action was necessary to continue services related to the Westmount transactions.

Mr. Auffredou stated that the County had negotiated and agreed to pay Mr. Paltrowitz and his firm \$4,000 per month for services related to the Westmount transaction and he stated that through March of 2015, the County had incurred a total cost of \$60,000 for these services. He opined it was wise and prudent to continue these services through the end of 2015 and he said there was a variety of reasons for doing so. Mr. Auffredou commented that Mr. Paltrowitz had been invaluable to the County in connection with these matters and he noted that he had worked with Mr. Paltrowitz for 22 years in his prior career with the Bartlett, Pontiff, Stewart and Rhodes, PLLC Law Firm, during which time he had developed an appreciation for Mr. Paltrowitz's skill and ability in representing a variety of clients, which included municipalities and schools. It was not until he had become County Attorney, Mr. Auffredou continued, that he had become very appreciative of Mr. Paltrowitz's talents as a client; he added that while he knew it was certainly not the case, there were times when Mr. Paltrowitz provided such attention and detail to his Office that it seemed as if the County was Mr. Paltrowitz's only client. Mr. Auffredou also stated that they would have not reached the point they had with the contract without Mr. Paltrowitz's assistance.

Mr. Auffredou stated that pursuant to conversations with Mr. Paltrowitz, he would suggest that the current agreement be extended through the close of 2015 at a cost of \$4,000 per month; he added that the interest arbitration with the PBA was upcoming and Mr. Paltrowitz had agreed to provide services in connection with the arbitration, as well as for any and all other labor negotiation matters, excluding litigation or other arbitrations, and he said he believed grievances would be included as well. Mr. Auffredou emphasized that the actual land sale transaction for Westmount would also be excluded from the \$4,000 per month agreement and would be billed at an hourly rate of \$180/principal and \$150/associate, plus reasonable expenses. He apprised he had received a statement from Mr. Paltrowitz for services related to the real estate transaction in the amount of \$2,205.83 which he required authorization to pay.



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In conclusion, Mr. Auffredou clarified that he was requesting a resolution authorizing continuation of services with Bartlett, Pontiff, Stewart & Rhodes, PLLC at a rate of \$4,000 per month through the end of the 2015 calendar year, exclusive of real estate transactions related to the Westmount land sale itself and the closing of that transaction and all work related thereto, with these services being billed to the County at a rate of \$180 per hour/principal and \$150 per hour/associate, plus reasonable expenses. Finally, Mr. Auffredou advised the resolution would also need to provide authorization to pay the invoice he had previously noted in the amount of \$2,205.83.

Motion was made by Mr. Dickinson, seconded by Mr. Taylor and carried unanimously to approve a resolution in keeping with the recommendations made by Mr. Auffredou for presentation at the March 20<sup>th</sup> Board Meeting.

For the record, Mr. Auffredou apprised of his prior relationship with the Bartlett, Pontiff, Stewart & Rhodes, PLLC Law Firm, from which he received ongoing payments on a monthly basis for deferred wages, as well as an LLC real estate company he was a member of during his employment there.

Resuming the Agenda review, Mr. Conover stated that Item 14 consisted of a request for Finance Committee action on the following items as approved by the Personnel Committee: Personnel Agenda Items 2B-D, 4, and 5.

Motion was made by Ms. Wood, seconded by Mr. Merlino and carried unanimously to approve the request and the necessary resolutions were authorized for the March 20<sup>th</sup> Board Meeting.

There being no further business to come before the Finance Committee, on motion made by Mr. Kenny and seconded by Mr. Dickinson, Mr. Conover adjourned the meeting at 9:52 a.m.

Respectfully submitted,  
Amanda Allen, Deputy Clerk of the Board